

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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PROPOSAL NO.: LAFCO 3221

HEARING: NOVEMBER 15, 2017

RESOLUTION NO. 3259

A RESOLUTION OF THE EXECUTIVE OFFICER OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY ORDERING LAFCO 3221 – ANNEXATION TO THE LAKE ARROWHEAD COMMUNITY SERVICES DISTRICT (APN 0336-111-04)

WHEREAS, this action is being taken pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and,

WHEREAS, the public hearing by the Commission was called for November 15, 2017 at the time and place for which notice was given, and at the hearing the Commission heard and received all oral and written support and/or opposition; the Commission considered all plans and proposed changes of organization, and all evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing;

WHEREAS, at the hearing, the Commission, as CEQA lead agency, determined that this proposal is statutorily exempt from environmental review. The basis for this determination is that the Commission's approval of the annexation has no potential to cause any adverse effect on the environment. Therefore, this action is exempt as defined under Section 15061(b)(3) of the State CEQA Guidelines and the Commission's adopted CEQA Guidelines. The Commission adopted the Statutory Exemption and directed its Executive Officer to file a Notice of Exemption within five days; and,

WHEREAS, at the hearing, the Commission determined that: 1) the proposal is certified to be legally uninhabited; 2) the proposal has 100 % landowner consent; and 3) no written opposition to a waiver of protest proceedings has been submitted by any subject agency; therefore, the Commission waived the protest proceedings as permitted by Government Code Section 56662(d).

WHEREAS, the Commission adopted its Resolution No. 3252 on November 15, 2017 making determinations and approving the proposed reorganization as described in Exhibit

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"A" and "A-1" attached hereto and by this reference incorporated herein; and,

WHEREAS, the terms and conditions for LAFCO 3221, as approved by the Commission, on November 15, 2017, are as follows:

CONDITIONS:

Condition No. 1. The boundaries of this change of organization are approved as set forth in Exhibits "A" and "A-1" attached.

Condition No. 2. The following distinctive short-form designation shall be used through this proceeding: LAFCO 3221.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the Lake Arrowhead Community Services District (annexing agency) shall be assumed by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

Condition No. 4. The Lake Arrowhead Community Services District shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

Condition No. 5. The date of issuance of the Certificate of Completion shall be the effective date of this annexation.

NOW, THEREFORE, BE IT RESOLVED, that the Executive Officer hereby determines and orders as follows:

SECTION 1. Pursuant to the provisions of Government Code Section 56662(d), the protest proceedings for this action have been waived as outlined above.

SECTION 2. The Executive Officer, on behalf of the Commission, hereby orders the reorganization as described in Exhibits "A" and "A-1" to include the annexation to the Lake Arrowhead Community Services District.



SECTION 3. The regular County assessment roll is utilized by the Lake Arrowhead Community Services District.

SECTION 4. The affected territory will not be taxed for existing general bonded indebtedness and/or contractual obligations of the annexing agency, the Lake Arrowhead Community Services District.

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SECTION 5. The Executive Officer shall cause to be prepared and filed a Certificate of Completion, as required by Government Code Sections 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204.

DATED: December 18, 2017

KATHLEEN ROLLINGS-McDONALD
Executive Officer